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By: **Delegates Walkup, Aumann, Boschert, Bozman, Cadden, Cane,  
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Franchot, Frank, Frush, Gilleland, Haddaway, Howard, Hubbard, Kach,  
Krebs, Leopold, Love, McConkey, McHale, McMillan, Minnick,  
O'Donnell, Parrott, Proctor, Rudolph, Smigiel, Sophocleus, and Sossi**

Introduced and read first time: February 27, 2004  
Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Dredge Material Disposal Alternatives Act of 2004**

3 FOR the purpose of establishing a Dredge Material Disposal Alternatives Program  
4 within the Department of Business and Economic Development; providing for  
5 the purposes, goals, and activities of the Program; requiring the Department to  
6 seek certain moneys for the Program; making the Program contingent on the  
7 allocation to the Program of a certain percentage of the money appropriated in  
8 the State budget to the Maryland Port Administration for certain uses;  
9 requiring the Administration to be responsible for transporting and the costs of  
10 transporting dredge material to certain facilities; defining certain terms;  
11 requiring recipients of financial assistance from the Program to submit certain  
12 reports on a certain basis to the Department; authorizing the Department to  
13 impose terms and conditions on financial assistance provided from the Program;  
14 and generally relating to the Dredge Material Disposal Alternatives Program.

15 BY adding to  
16 Article 83A - Department of Business and Economic Development  
17 Section 6-801 through 6-803, inclusive, to be under the new subtitle "Subtitle 8.  
18 Dredge Material Disposal Alternatives Program"  
19 Annotated Code of Maryland  
20 (2003 Replacement Volume)

21 Preamble

22 WHEREAS, The shipping channels for the Port of Baltimore, including the main  
23 channels and anchorages in and adjacent to the Chesapeake Bay and its approaches,  
24 must undergo dredging in order to maintain channel depth necessary for the  
25 economic viability of the Port; and

26 WHEREAS, Dredge material has economic value and is a sustainable,  
27 replenishable resource; and

1 WHEREAS, There is a pressing need to work within a climate of limited  
2 financial resources to fulfill the stewardship responsibilities for the infrastructure of  
3 Maryland's water resources; and

4 WHEREAS, Innovative solutions can facilitate the successful management of  
5 materials dredged from the Chesapeake Bay and the Port of Baltimore, create jobs  
6 and economic growth, and retain existing jobs; and

7 WHEREAS, The beneficial reuse and conversion of dredge material into end  
8 products that have economic value will result in a self-sustaining program for the  
9 reuse of dredge material and in the creation of renewable dredge material disposal  
10 options for future maritime disposal needs; now, therefore,

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article 83A - Department of Business and Economic Development**

14 **SUBTITLE 8. DREDGE MATERIAL DISPOSAL ALTERNATIVES PROGRAM.**

15 6-801.

16 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
17 INDICATED.

18 (B) "DREDGE MATERIAL" MEANS SAND, SILT, SEDIMENT, SHELL, ROCK, SOIL,  
19 WASTE MATTER, OR OTHER MATERIAL EXCAVATED OR DREDGED FROM THE  
20 CHESAPEAKE BAY AND ITS TRIBUTARY WATERS.

21 (C) "DREDGE MATERIAL REUSE FACILITY" MEANS A FACILITY THAT  
22 DEWATERS, ANALYZES FOR CONTAMINANTS, DRIES, AND PROCESSES DREDGE  
23 MATERIAL FOR REUSE IN AN ECONOMICALLY BENEFICIAL MANNER.

24 (D) "REUSE" MEANS THE RECYCLING OF DREDGE MATERIAL FOR ITS USE IN  
25 ANOTHER PRODUCT, INCLUDING, BUT NOT LIMITED TO, COMMERCIAL AND  
26 INDUSTRIAL USES.

27 6-802.

28 (A) THERE IS A DREDGE MATERIAL DISPOSAL ALTERNATIVES PROGRAM IN  
29 THE DEPARTMENT.

30 (B) (1) THE PURPOSE OF THE PROGRAM IS TO:

31 (I) DESIGNATE INNOVATIVE REUSES OF DREDGE MATERIAL AS A  
32 SUSTAINABLE ALTERNATIVE IN THE MANAGEMENT OF DREDGE MATERIAL  
33 DISPOSAL; AND

34 (II) PROVIDE FINANCIAL ASSISTANCE TO INDIVIDUALS AND  
35 BUSINESS ENTERPRISES FOR THE PRODUCTION AND MARKETING OF

1 TECHNOLOGIES THAT DEWATER, ANALYZE FOR CONTAMINANTS, DRY, AND PROCESS  
2 DREDGE MATERIAL FOR REUSE IN AN ECONOMICALLY BENEFICIAL MANNER.

3 (2) THE GOALS OF THE PROGRAM ARE TO:

4 (I) IMPLEMENT BENEFICIAL REUSE OF DREDGE MATERIALS AS A  
5 SUSTAINABLE DREDGE MATERIAL MANAGEMENT METHOD;

6 (II) FOSTER MARKETS FOR END USE PRODUCTS THAT USE DREDGE  
7 MATERIAL AS A RESOURCE;

8 (III) INCREASE PUBLIC AWARENESS OF THE MANY VALUABLE  
9 COMMERCIAL AND INDUSTRIAL USES OF DREDGE MATERIAL AND PRODUCTS THAT  
10 ARE PRODUCED USING DREDGE MATERIAL; AND

11 (IV) FACILITATE THE REUSE OF AT LEAST 500,000 CUBIC YARDS OF  
12 DREDGE MATERIAL EACH YEAR.

13 (C) THE PROGRAM SHALL:

14 (1) SEEK MONEYS AVAILABLE THROUGH FEDERAL PROGRAMS TO BE  
15 USED IN ADMINISTERING THE PROGRAM;

16 (2) ENGAGE IN PUBLIC-PRIVATE PARTNERSHIPS AND PROVIDE  
17 FINANCIAL ASSISTANCE TO FOSTER THE DEVELOPMENT, CONSTRUCTION, AND  
18 OPERATION OF DREDGE MATERIAL REUSE FACILITIES IN THE STATE;

19 (3) PROVIDE FINANCIAL ASSISTANCE FOR THE DEVELOPMENT OF END  
20 USE MARKETS FOR DREDGE MATERIAL; AND

21 (4) PROMOTE THE REUSE OF DREDGE MATERIAL AND MARKET THE  
22 RESULTING PRODUCTS.

23 (D) FINANCIAL ASSISTANCE FROM THE PROGRAM MAY BE IN THE FORM OF  
24 LOANS OR GRANTS, AS PROVIDED IN THE REGULATIONS ADOPTED BY THE  
25 DEPARTMENT.

26 (E) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS  
27 SUBTITLE.

28 (F) THE PROGRAM IS CONTINGENT ON THE ALLOCATION TO THE PROGRAM  
29 OF 5% OF THE MONEY APPROPRIATED IN THE ANNUAL STATE BUDGET TO THE  
30 MARYLAND PORT ADMINISTRATION FOR THE MANAGEMENT OF DREDGE MATERIAL.

31 6-803.

32 THE MARYLAND PORT ADMINISTRATION SHALL BE RESPONSIBLE FOR  
33 TRANSPORTING DREDGE MATERIAL AND THE COSTS ASSOCIATED WITH  
34 TRANSPORTING DREDGE MATERIAL FOR PROCESSING AT THE SITE OF A DREDGE  
35 MATERIAL REUSE FACILITY.

1 SECTION 2. AND BE IT FURTHER ENACTED, That an individual or business  
2 enterprise that receives financial assistance from the Dredge Material Disposal  
3 Alternatives Program established by this Act for the development, construction, or  
4 operation of a dredge material reuse facility shall regularly submit to the Department  
5 of Business and Economic Development a status report that clearly documents how  
6 the moneys are being used by the individual or business enterprise and the extent to  
7 which dredge material has been processed and reused.

8 SECTION 3. AND BE IT FURTHER ENACTED, That the Department of  
9 Business and Economic Development may impose terms and conditions on financial  
10 assistance provided from the Dredge Material Disposal Alternatives Program  
11 established under this Act.

12 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2004.